

Remarks

This Amendment is responsive to the Office Action of **July 26, 2004**. Reexamination and reconsideration of **claims 1-20** is respectfully requested.

Summary of The Office Action

Claims 1-3, 5-11, 13-14, and 16-20 stand rejected under 35 U.S.C. 102(e) as being anticipated by Nagendran, 6,731,940 (hereafter Nagendran).

Claims 4, 12, and 15 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Nagendran in view of Tari et al, 6,704,295 (hereafter Tari).

Summary of The Response

Neither Nagendran, nor Tari, alone or in combination teach each of the claimed elements in any of the independent claims in the application. Therefore, the independent claims are patentably distinguishable from the references. Since the independent claims are patentably distinguishable, so too are the claims that depend therefrom. Additionally, many of the dependent claims include additional elements that are also not taught in the references, alone or in combination.

35 U.S.C. 102(e) Rejections

Independent Claim 1

Nagendran fails to teach or suggest elements in claim 1, as indicated in the Office Action, for at least the following reasons. Nagendran does not teach or suggest identifying an electronic account in a communication network based on signals received from a transmitter. Rather, Nagendran teaches delivering generic information that is related to a point of geography rather than to a user account. (column 1, lines 8-11). Additionally, Nagendran does not teach determining a communications network address that matches a physical location at which the transmitter has been located. Rather, Nagendran teaches sending information to either the mobile unit or to another device connected by a radio system, without determining a network address for the device on the radio system. (column 5, lines 30-56). Furthermore, Nagendran does not teach forwarding information relating to the electronic account to the communications network address. Clearly Nagendran could not teach this element because it does not teach the two underlying elements, finding an electronic account and determining a network address.

Overall, Nagendran teaches finding a mobile device and customizing information (e.g., advertisements, traffic information) to send to the mobile device based on the location of the device. (column 2, lines 14-25). Nagendran has nothing to do with identifying an electronic account, determining a communications network address that best matches a physical location of the transmitter, and then forwarding information related to the electronic account to that address (e.g. a nearby networked device) as recited in claim 1. Nagendran is more of a push model advertisement delivery system (column 3, lines 60-67). It is clear from reading Nagendran that information is to be sent back to the mobile device -- “customized information is transmitted only to the mobile device” (abstract) -- and not to nearby networked devices. While Nagendran teaches sending traffic information to a billboard or to a mobile device (column 6, lines 55-58), this information is not taken from any electronic account associated with a user. This information is generic information related to the user only by geography, not by an account relationship.

The Examiner takes “judicial notice” that Nagendran must teach something about accounts because a local information provider surely must verify that a user is a subscriber to a

requested service before delivering information to the user. But this “judicial notice” does not withstand scrutiny. The reference is silent with respect to any verification, let alone verification to a service. Additionally, not all information providers require accounts. For example, well-known websites like cnn.com, msnbc.com, and so on, all provide information regardless of whether there is a subscriber account. One of ordinary skill, thus, would not automatically assume that Nagendran would perform this or a similar function without an appropriate suggestion. Furthermore, even if the reference did verify that a user had subscribed to a service, the information retrieved and delivered is not related to the user, but rather is related to a geographic location. Therefore, the Examiner’s assertion that somehow accounts must be taught simply does not withstand scrutiny.

In the present application, information that is delivered to a networked device near the user is user-centric data (e.g., email) while the information that is delivered to the mobile device in the reference is geography-centric (e.g., traffic conditions). To illustrate a difference between the application and the reference, consider the following example. A user with a mobile device walks into an airport executive lounge. A system as described in the reference may locate the mobile device and then send a coupon to the mobile device for a free drink at the bar in the executive lounge. Or, the system as described in the reference may display a list of restaurants near the executive lounge on a television screen. Or the system as described in the reference may display a luxury-car advertisement on the user’s mobile device. This is generic, non-electronic account information. A system as described in the application may locate the mobile device, locate an email account associated with a user of the mobile device, locate a networked device like a fax in the executive lounge, print out a fax of an email for the user on the fax in the executive lounge, and alert the user that a faxed email is available. The reference does not teach these types of actions.

Based on the above discussion, claim 1 is not taught or suggested by the references, individually or in combination. Since claim 1 recites features not taught or suggested by the references, claim 1 patentably distinguishes over the references. Accordingly, dependent claims 2-3 also patentably distinguish over the references and are in condition for allowance.

Independent Claim 5

Nagendran fails to teach or suggest elements in claim 5, as indicated in the Office Action, for at least the following reasons. Nagendran does not teach or suggest identifying an electronic account in a communication network based on signals received from a mobile unit. Rather, Nagendran teaches delivering generic information that is related to a point of geography rather than to a user account. Additionally, Nagendran does not teach determining a network address of a device that is in proximity to the physical location of the mobile unit. Rather, Nagendran teaches sending information to either the mobile unit or to another device connected by a radio system, without determining a network address for the device on the radio system. Furthermore, Nagendran does not teach submitting a request to a second network to forward information relating to the electronic account to the communications network address. Clearly Nagendran could not teach this element because it does not teach the two underlying elements, finding an electronic account and determining a network address.

As described above, Nagendran teaches customizing information delivery (e.g., advertisements, traffic information) to a mobile device. (column 2, lines 14-25). Nagendran has nothing to do with finding an electronic account associated with a mobile device, finding a network address of a network device that is close to the mobile device, and then sending information related to the electronic account to that nearby networked device as recited in claim 5.

Once again the Examiner takes “judicial notice” that Nagendran must be involved with accounts and thus must also teach accounts. But the reference does not mention accounts and does not mention user-centric or account-centric data. Rather the reference is related to gathering traffic density data and delivering it to a user’s mobile device based on its geographic location in relation to that traffic. (column 6, lines 42-63)

Based on the above discussion, claim 5 is not taught or suggested by the references, individually or in combination. Since claim 5 recites features not taught or suggested by the references, claim 5 patentably distinguishes over the references. Accordingly, dependent claims 6-17 also patentably distinguish over the references and are in condition for allowance.

Independent Claim 18

Nagendran fails to teach or suggest elements in claim 18, as indicated in the Office Action, for at least the following reasons. Nagendran does not teach or suggest identifying an electronic account based on signals received from a transmitter. Additionally, Nagendran does not teach identifying a network address that matches a physical location at which the transmitter is located. Furthermore, Nagendran does not teach submitting a request to a server servicing the electronic account to forward information stored on the server for the account to the network address. Clearly Nagendran could not teach this element because it does not teach the two underlying elements, finding an electronic account and determining a network address.

As described above, Nagendran teaches finding a mobile device and customizing information (e.g., advertisements, traffic information) to send to the mobile device based on the location of the device. (column 2, lines 14-25). Nagendran has nothing to do with finding an electronic account associated with a mobile device, finding a network device that is close to the mobile device, and then sending information related to the electronic account to that nearby networked device as recited in claim 18. Nagendran is a push model advertisement delivery system (column 3, lines 60-67). It is clear from reading Nagendran that information is to be sent back to the mobile device “customized information is transmitted only to the mobile device” (abstract) and not to nearby networked devices. While Nagendran teaches sending traffic information to a billboard or to a mobile device (column 6, lines 55-58), this information is not taken from any electronic account associated with a user and does not involve locating a network address as claimed. This information is generic information related to the user only by geography, not by an account relationship.

As in claims 1 and 5, the Examiner takes “judicial notice” that Nagendran must be involved with accounts because a local information provider must verify that a user is a subscriber to a requested server before delivering information to the user. As described above,

this “judicial notice” does not withstand scrutiny since the reference is silent with respect to accounts and verification.

Based on the above discussion, claim 18 is not taught or suggested by the references, individually or in combination. Since claim 18 recites features not taught or suggested by the references, claim 18 patentably distinguishes over the references. Accordingly, dependent claims 19 and 20 also patentably distinguish over the references and are in condition for allowance.

Dependent Claims 2 and 3

Claim 2 contains an additional element where signals transmitted by the transmitter are forwarded to a first communication network. The reference does not disclose sending signals to a communication network, but rather describes having the signals handled by a single site base station. (column 5, lines 32-34). For this additional reason, claim 2 patentably distinguishes over the references.

Claim 3 contains an additional element, that an electronic account is identified in a second communications network. Since the reference describes neither an electronic account nor a first communications network, it is not surprising that it does not describe finding an electronic account in a second network. For this additional reason, claim 3 patentably distinguishes over the references.

Dependent Claims 6 through 10

Claim 6 contains an additional element, forwarding information relating to the electronic account to the network address. Since the reference does not teach determining either an electronic account or a network address, it clearly cannot teach forwarding information to an electronic account it has not identified via a network address it has not determined. For this additional reason, claim 6 patentably distinguishes over the references.

Claim 7 contains an additional element, delivering information forwarded to the network address to a point of delivery. Once again, since the reference does not teach determining a

network address, it clearly cannot teach using that network address to deliver information to a point of delivery. For this additional reason, claim 7 patentably distinguishes over the references.

Claim 10 contains an additional element, that the second communications network is a computer network. Since the reference does not even describe a first communications network, it clearly cannot describe a second communications network, let alone a computer network. For this additional reason, claim 10 is patentably distinguishable from the references.

Dependent Claims 13, 14, 16, and 17

Claim 13 contains an additional element, that the network address be determined by finding a best match between the network addresses available at or near the physical location. The reference does not describe finding a network address. Thus the reference clearly can not describe finding the best match for a network address. For this additional reason, claim 13 is patentably distinguishable from the references.

Claim 14 contains an additional element, that the network address is an IP (Internet Protocol) address. Since the reference does not describe network addresses in any fashion, it is not surprising that the reference does not specify the exact type of network address as claimed in claim 14. For this additional reason, claim 14 is patentably distinguishable from the references.

Claim 16 contains an additional element, that the point of delivery associated with the proximity matched network address is a printer server. The reference is silent with respect to determining a network address. Thus the reference is also silent concerning finding a point of delivery associated with a network address. Therefore the reference must and is silent concerning calling out a point of delivery type like a printer server. For this additional reason, claim 16 is patentably distinguishable from the references.

Claim 17 contains an additional element, that the point of delivery is a device that can display information related to an electronic account identified by signals received from the mobile unit. The reference does not identify an electronic account. Similarly, the reference does

not determine a network address. Thus the reference does not find a point of delivery associated with a network address. Therefore the reference must and is silent concerning calling out a point of delivery type like a device that can display the information. For this additional reason, claim 17 is patentably distinguishable from the references.

Dependent Claims 19 and 20

Claim 19 contains an additional limitation, that the server forwards a request for information to a networked address. The reference does not teach locating a networked address and thus cannot teach forwarding a request for information to the networked address. For this additional reason, claim 19 is patentably distinguishable from the references.

Claim 20 contains an additional limitation that the requested information includes electronic messages. Since the reference does not identify an electronic account associated with a mobile device, it clearly cannot deliver information like electronic messages associated with the electronic account. As described above, the reference delivers location-centric information, not account-centric information. For this additional reason, claim 20 is patentably distinguishable from the references.

35 U.S.C. 103(a) Rejections

Claims 4, 12, and 15 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Nagendran in view of Tari.

Tari does not remedy the deficiencies of Nagendran. Tari describes a push model information system. (Column 2, lines 53-55). While the reference does describe delivering emails, it does not describe determining an account associated with a mobile device based on signals delivered from the mobile device, determining a network address geographically close to the mobile device, or delivering account-centric information. Thus, Tari does not overcome the deficiencies of Nagendran, and does not render any claims in the application obvious.

Dependent Claim 4

As described above, Nagendran does not anticipate claim 1. Claim 4 depends from claim 1 and therefore is also not anticipated. Tari does not overcome the deficiencies of Nagendran with respect to independent claim 1, and therefore claim 4 is not obvious in light of these references.

For example, the references, alone and/or in combination, do not teach or suggest identifying an electronic account in a communication network based on signals received from a transmitter. Additionally, the references, alone and/or in combination, do not teach determining a communications network address that matches a physical location at which the transmitter has been located. Furthermore, the references, alone and/or in combination do not teach forwarding information relating to the electronic account to the communications network address. Clearly the references can not teach this element because they do not teach the two underlying elements, finding an electronic account and determining a network address.

Dependent Claim 12

As described above, Nagendran does not anticipate claim 5. Claim 12 depends from claim 5 and therefore is also not anticipated. Tari does not overcome the deficiencies of Nagendran with respect to independent claim 5, and therefore claim 12 is not obvious in light of these references.

For example, the references, neither alone nor in combination, do not teach or suggest identifying an electronic account in a communication network based on signals received from a mobile unit. Additionally, the references, alone or in combination, do not teach determining a communications network address that matches a physical location at which the mobile unit has been located. Furthermore, the references, either alone or in combination, do not teach submitting a request to a second network to forward information relating to the electronic account to the communications network address. Clearly the references can not teach this element because they do not teach the two underlying elements, finding an electronic account and determining a network address.

Dependent Claim 15

As described above, Nagendran does not anticipate claim 5. Claim 15 depends from claim 5 and therefore is also not anticipated. Tari does not overcome the deficiencies of Nagendran with respect to independent claim 5, and therefore claim 15 is not obvious in light of these references.

Conclusion

For the reasons set forth above, **claims 1-20** patentably and unobviously distinguish over the references of record and are now in condition for allowance. An early allowance of all claims is earnestly solicited.

Respectfully submitted,

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